

REMARKS

Applicant has carefully reviewed the Office Action of 08 September 2003 and offers the following remarks to accompany the above amendments.

Applicant acknowledges provisional double patenting with respect to U.S. Patent Application Serial Number 09/218,808. It is Applicant's understanding that the '808 application was abandoned on September 17, 2003, and thus this rejection should be withdrawn.

Claims 1, 11, 13, 21, 31, 33, 43, and 45-51 were rejected under 35 U.S.C. § 103 as being unpatentable over Lu et al. in view of Focarile et al. Applicant has herein amended claims 1, 21, 33, and 45 to recite that managing comprises sending call origination messages to a control node on the packet data network. This element is found in originally allowed claims 2, 22, and 34. Applicant has carefully studied the references and cannot find a teaching or suggestion therein for this element. Applicant has amended claims 2, 22, and 34 to reflect the changes to claims 1, 21, and 33. This amendment places claims 1-12 and 21-51 in a condition for allowance.

Claim 13 has been amended to recite that such managing comprises sending a termination message to a control node on the packet data network and determining a serving wireless base station controller. This element was originally present in allowable claim 17, and claim 17 has been amended in light of the amendment to claim 13. Applicant has carefully studied the references and cannot find a teaching or suggestion therein for this element. This amendment places claims 13-20 in a condition for allowance.

Various other claims have been amended in light of the amendments to the independent claims so that antecedent basis is established for all the elements. No new matter is added and no change in the scope of the claims is intended by these amendments.

Applicant has extracted an element from the allowable claims and inserted such an element into each of the independent claims. Applicant has studied the references and finds no teaching or suggestion therein that these elements are disclosed. Thus, the claims, as amended, recite elements that are not taught or suggested in the references of record. Since the claims recite elements which are not taught or suggested in the references of record, the claims define over the rejection and stand in a condition for allowance. Applicant earnestly solicits claim allowance at the Examiner's earliest convenience.

Respectfully submitted,

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